IN THE HIGH COURT OF JUDICATURE AT BOMBAY
Civil Appellate Jurisdiction

Second Appeal No. 22 of 2006

Mishrilal Gulabchand Bedmutha
and others ..Appellants

vs.

Navinchandra Premchand Chokal
and others ..Respondents

Shri P.S.Dani for appellants.

CORAM: S.C.DHARMADHIKARI J.
16th August, 2007

P.C.

1. The Trial Court as well as the Lower Appellate Court have dismissed the suit preferred by the appellants as neither the appellants were able to prove their title with regard to the disputed portion nor the extent of the encroachment thereon. It is, in these circumstances that, I am of the opinion that there is no merit in the submission of Shri Dani that the partial finding on title in favour of the appellants would be of some assistance. The Courts below have rightly applied the principles so also appreciated all the evidence. The manner is not found to be such as would warrant any interference. The conclusions are consistent with the same and cannot be termed as perverse. In such circumstances there is no merit in this second appeal which is accordingly dismissed. No order as to costs.

(S.C.DHARMADHIKARI J.)